IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

OP.No. 7021 of 2001(J)

PETITIONER:

T.SREEKUMAR, LEKSHMI BHAVAN,
NALANCHIRA, THIRUVANANTHAPURAM.

BY ADV. SRI.R.MANOJ
SMT.SINDHU MANOJ

RESPONDENTS:
----

1. **STATE OF KERALA REP.BY**
THE CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. **THE SECRETARY TO GOVERNMENT, INDUSTRIES(C)**
DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

3. **DIRECTOR OF VIGILANCE, DEPARTMENT OF VIGILANCE,**
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

4. **KERALA STATE HANDLOOM DEVELOPMENT**
CORPORATION LTD., REP.BY ITS MANAGING
DIRECTOR, KERALA STATE HANDLOOM DEVELOPMENT
CORPORATION LTD., P.M.32/248,
THELLERI ROAD, KANNOOR.

5. **A. THAHAKUTTY, NOW WORKING AS ASSISTANT**
REGIONAL MANAGER, KERALA STATE HANDLOOM
DEVELOPMENT CORPORATION LTD.,
REGIONAL OFFICE, CHITOOR ROAD, ERNAKULAM.

6. **K.CHANDRAN, ASSISTANT REGIONAL MANAGER,**
KERALA STATE HANDLOOM DEVELOPMENT
CORPORATION LTD., KANNUR.

7. **KUNJABDULLA P.V., KERALA STATE HANDLOOM**
DEVELOPMENT CORPORATION LTD., KANNOOR.

8. ABRAHAM VARGHESE, MANAGER (ADMINISTRATION), KERALA STATE HANDLOOM DEVELOPMENT CORPORATION LTD., KANNUR.

9. C.KURRAN, KERALA STATE HANDLOOM DEVELOPMENT, CORPORATION LIMITED, REGIONAL OFFICE, ERNAKULAM.

10. K.ANDREW , KERALA STATE HANDLOOM DEVELOPMENT CORPORATION LIMITED, KANNOOR.

11. P. JOHN, KERALA STATE HANDLOOM DEVELOPMENT CORPORATION LIMITED, REGIONAL OFFICE, THIRUVANANTHAPURAM.

BY ADV. SRI.E.K.NANDAKUMAR
SRI.ELVIN PETER P.J.
SRI.P.N.SANTHOSH
SRI.S.RAMESH
SRI.S.D.ASOKAN
BY GOVERNMENT PLEADER SMT.T.B.RAMANI

THIS ORIGINAL PETITION HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP.NOS.42272.2001 , 51544/2001 IN OP. 7021/2001

DISMISSED

07.06.2007 **SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE**

Thottathil B. Radhakrishnan, J.

==========

O.P.No.7021 of 2001

==========

Dated this the 7th day of June, 2007.

JUDGMENT

The selection of respondents 5 to 11 as Showroom Managers in the service of the Kerala State Handloom Development Corporation is under challenge by a person, who had not participated in the selection or applied for being considered.

2. The selection, which is under challenge, was subject-matter of O.P.No.10768 of 1983 filed by certain employees of the Corporation. The dismissal of that writ petition as per Ext.R5(p) judgment is confirmed by the Division Bench as per Ext.R5(q) judgment.

3. In support of this writ petition, learned counsel for the petitioner strenuously canvassing the contentions and specifically urged that the vigilance case booked on the basis of selection was ultimately quashed only on account of delay and therefore it is not a situation, which could be treated as one having

attained quietus, having regard to the plea raised.

4. The qualifications prescribed for the post of Showroom Managers as per Ext.P1 would show that the field of choice was of graduates with experience. Obviously, they are not persons, who, if aggrieved, could not ventilate their grievances. Hence, apart from the fact that the selection under challenge has already been found sustainable, by this Court, as noticed above, the writ jurisdiction does not require to be extended at the instance of a person who was not a competitor. Even if I were to treat this as a case of public interest litigation, I find no grounds. Writ petition fails. The same is dismissed.

Thottathil B.Radhakrishnan,
Judge.

sl.

Thottathil B. Radhakrishnan, J.

==========

O.P.No.7021 of 2001

==========

JUDGMENT

Dated:7-6-2007